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Southern District of New York
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	<u>VERIFIED COMPLAINT</u>
v.	:	<u>FOR FORFEITURE</u>
	:	
\$81,400.00 IN UNITED STATES CURRENCY,	:	
	:	
Defendant- <i>in-rem</i> .	:	19 Civ. _____
	:	
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Plaintiff United States of America, by its attorney, Geoffrey S. Berman, United States Attorney for the Southern District of New York, for its verified complaint alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This civil action *in rem* is commenced by the United States of America pursuant to Title 21, United States Code, Section 881, seeking the forfeiture of \$81,400.00 in United States currency seized on January 9, 2018 (“Defendant-*in-rem*” or “Defendant Currency”).
2. This Court has jurisdiction pursuant to Title 28, United States Code, Sections 1345 and 1355.

3. Venue is proper under Title 28, United States Code, Section 1355(b)(1)(A) because acts and omissions giving rise to forfeiture took place in the Southern District of New York.

PROBABLE CAUSE FOR FORFEITURE

Background to the Investigation

4. Since in or about late 2016 the Drug Enforcement Administration (“DEA”) has been involved in an investigation (the “Investigation”) into a drug trafficking and money laundering organization that operates in Mexico, California, and New York – including Manhattan – among other places (the “DTO”). In addition, other members of the DTO collect proceeds from these narcotics transactions, and launder the money.

5. Since in or about late 2016, the Investigation has led to the identification of various members and associates of the DTO, including an individual who, among other things, instructs DTO members to receive large quantities of cash, related to narcotics transactions at various locations in the United States; count the cash; transport and provide the cash to other members of the DTO; and transfer the cash to specific bank accounts.

6. The DTO operated, in part, out of a residence located on Booth Memorial Avenue in Flushing New York (the “Residence”).

7. On or about December 17, 2017, a red Ford truck (the “Truck”) arrived in the vicinity of the Residence, driven by an individual who was subsequently identified as a narcotics trafficker (the “Narcotics Trafficker”).

8. An individual exited the Residence, approached the truck, and engaged in a discussion with the Narcotics Trafficker. Following the conversation, the individual left the Truck carrying a weighted white rope-handled shopping bag, and entered the Residence.

9. On or about February 5, 2018, the Truck traveled from New York to Texas. The Truck arrived in Houston, Texas, on February 6, 2018, where it stayed for approximately 40 minutes, before it began driving back towards New York on the same route that it had previously traveled.

10. On or about February 8, 2018, law enforcement agents stopped the Truck in New Jersey. At the time of the stop, a trained narcotics canine alerted to the presence of narcotics within the Truck. The Narcotics Trafficker, who was driving the Truck, consented to a search of the Truck. Law enforcement agents searched the Truck and found approximately twenty-four kilograms of heroin inside of the Truck.

11. The Narcotics Trafficker has delivered narcotics proceeds to the vicinity of the Residence on several occasions, including the transaction on December 17, 2017, described *supra*, paragraph 7.

12. On or about January 9, 2018, law enforcement officers conducted a judicially-approved search of the Residence. In the course of the search, law enforcement officers found rubber-banded United States currency hidden in various locations in Residence. The Defendant Currency consists of the currency found in these locations.¹

13. In addition to the Defendant Currency, two electronic money counter machines, a bag of rubber bands, and ledgers were also seized from the Residence, among other items. On information and belief, it is common for individuals involved in both narcotics trafficking and money laundering of narcotics proceeds to move large quantities of cash bundled

¹ A total of \$119,996 in United States currency was seized from the Residence on January 9, 2018, however, only \$81,400, *i.e.* the Defendant Currency, is relevant to this Complaint.

in small denominations, and to keep ledgers related to transactions involving narcotics and/or narcotics proceeds.

III. FIRST CLAIM FOR FORFEITURE

14. Title 21, United States Code, Section 881(a)(6) subjects to forfeiture All moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of [Subchapter I of Title 21], all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of [Subchapter I of Title 21].

15. The Defendant Currency is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because there is probable cause to believe that they are proceeds traceable to exchanges of controlled substances in violation of 21 U.S.C. §§ 841(a)(1) and 846.


WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the Defendant Currency and that all persons having an interest in the Defendant Currency be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the Defendant Currency to the United States of America

for disposition according to law, and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York
January 31, 2019

GEOFFREY S. BERMAN
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the Southern District of New York
Attorney for the Plaintiff
United States of America

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VERIFICATION

STATE OF NEW YORK)
COUNTY OF NEW YORK :
SOUTHERN DISTRICT OF NEW YORK)


SPECIAL AGENT ROBERT WRONSKI, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA"), and as such has responsibility for the within action; that he has read the foregoing complaint and knows the contents thereof, and that the same is true to the best of his own knowledge, information and belief.

The sources of deponent's information and the ground of his belief are conversations with other law enforcement officers and others, official records and files of DEA and the United States Government, and information obtained directly or indirectly by deponent during an investigation of alleged violations of Titles 18 and 21, United States Code.



ROBERT WRONSKI
Special Agent
Drug Enforcement Administration

Sworn to before me this 31
day of January, 2019


NOTARY PUBLIC

YAMILA YAFAR
NOTARY PUBLIC
STATE OF NEW JERSEY
ID # 50088778
MY COMMISSION EXPIRES AUGUST 24, 2023

